



Docket No.: 21147 US C038435/0178882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Sakayu SHIMIZU and Masaru WADA )  
Serial No.: 10/505,314 ) Examiner: Not yet assigned  
Filed: August 20, 2004 ) Art Unit: Not yet assigned  
For: **PROCESS FOR PRODUCING LEVODIONE** )

New York, New York  
April 7, 2005

**RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C. § 371**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C.  
§ 371 mailed March 22, 2005 (a copy of which is enclosed) for the above-identified  
application, applicants submit herewith the following:

1. an executed Declaration and Power of Attorney in compliance with Rule  
37 CFR §1.497(a) and (b) as required in the Notification; and
2. a check in the amount of \$130.00 to cover the fee.

04/14/2005 GFREY1 00000032 10505314

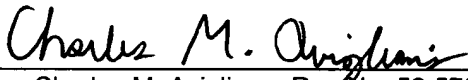
01 FC:1617

130.00 OP

1227943.1

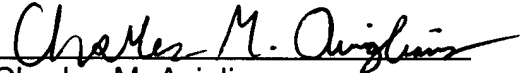
If our check is missing or otherwise insufficient, or if any additional fees are required, the Commissioner is authorized to charge (or credit any overpayment) to Deposit Account No. 02-4467. A duplicate copy of this communication is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 7, 2005.



Charles M. Avigliano, Reg. No. 52,578

Respectfully submitted,

By: 

Charles M. Avigliano

Registration No. 52,578

BRYAN CAVE LLP

1290 Avenue of the Americas

New York, NY 10104-3300

Phone: (212) 541-2000

Fax: (212) 541-4630



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/505,314	Sakayu Shimizu	21147 (C038435/0178882)

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/EP03/01537

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

02/15/2003

Bryan Cave  
 1290 Avenue of the Americas  
 New York, NY 10104-3300



CONFIRMATION NO. 2382

371 FORMALITIES LETTER



\*OC000000015501708\*

Date Mailed: 03/22/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/20/2004
- Copy of the International Search Report filed on 08/20/2004
- Preliminary Amendments filed on 08/20/2004
- Information Disclosure Statements filed on 08/20/2004
- Biochemical Sequence Diskette filed on 08/20/2004
- Biochemical Sequence Listing filed on 08/20/2004
- U.S. Basic National Fees filed on 08/20/2004
- Priority Documents filed on 08/20/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

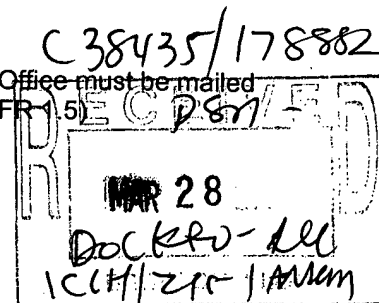
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice **MUST** be returned with the response.



INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/505,314	PCT/EP03/01537	21147 (C038435/0178882)

FORM PCT/DO/EO/905 (371 Formalities Notice)